

Appln. No.: 09/901,103
Amendment dated December 30, 2005
Reply to Office Action of September 30, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

What is claimed is:

1. (Cancelled).
2. (Cancelled).
3. (Cancelled).
4. (Cancelled).
5. (Cancelled).
6. (Cancelled).
7. (Cancelled).
8. (Cancelled).
9. (Cancelled).
10. (Cancelled).

11. (Currently Amended) In a telecommunication network having a plurality of interconnected switches, a method of adjusting a contracted rate of traffic for a virtual circuit comprising the steps of:

- a) obtaining statistical data for the plurality of interconnected switches;
- b) identifying for each of the plurality of interconnected switches, virtual circuits that make excessive use of the network; and

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c) adjusting the contracted rate of traffic to form a modified contracted rate of traffic;

~~The method of claim 1, wherein step b) further comprises~~includes the steps of:

ad) counting the number of data points i , in n samples that exceed a threshold value R_1 ; and

eb) if the number of i data points divided by the total number of samples is greater than or equal to R_2 , then adjusting the CIR.

12. (Original) The method of claim 11, wherein R_1 is a value of approximately 25 percent.

13. (Original) The method of claim 11, wherein R_1 is a value of at least 18 percent.

14. (Original) The method of claim 11, wherein R_2 is a value of approximately 20 percent.

15. (Original) The method of claim 11, wherein R_2 is a value of at least 10 percent.

16. (Cancelled).

17. (Cancelled).

18. (Cancelled).

19. (Cancelled).

20. (Cancelled).

21. (Cancelled).

22. (Cancelled).

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23. (Cancelled).

24. (Cancelled).

25. (Currently Amended) A computer-readable medium having computer-executable instructions for performing steps comprising:

a) obtaining statistical data for a plurality of interconnected network switches;

b) identifying for each of the plurality of interconnected switches, virtual circuits that make excessive use of the network; and

c) adjusting the contracted rate of traffic to form a modified contracted rate of traffic.

~~The computer-readable medium of claim 18, wherein step b) further comprises the steps~~
of:

da) counting the number of data points i , in n samples that exceed a threshold value R_1 ; and

eb) if the number of i data points divided by the total number of samples is greater than or equal to R_2 , then adjusting the CIR.

26. (Original) The computer-readable medium of claim 25, wherein R_1 is a value of approximately 25 percent.

27. (Original) The computer-readable medium of claim 25, wherein R_1 is a value of at least 18 percent.

28. (Original) The computer-readable medium of claim 25, wherein R_2 is a value of approximately 20 percent.

29. (Original) The computer-readable medium of claim 25, wherein R_2 is a value of at least 10 percent.

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30. (Cancelled).

31. (Cancelled).

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